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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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PAC-WEST TELECOMM, INC.,

Complainant,

vs.

QWEST CORPORATION,

Respondent.

DOCKET NO. T-01051B-05-0495

DOCKET NO. T-03693A-05-0495

PROCEDURAL ORDER

BY THE COMMISSION:

On July 25, 2008, Qwest Corporation ("Qwest") filed a "Notice of Final Order and Remand" and a Motion for Judgment Pursuant to Mandate ("Motion") in the above-captioned dockets. Qwest had filed an action in the United States District Court for the District of Arizona ("District Court") seeking declaratory and injunctive relief from an Order of the Arizona Corporation Commission ("Commission") in Decision No. 68820. The District Court issued its Order in that action on March 6, 2008. By its Motion Qwest seeks to have the Commission vacate provisions of Decision No. 68820 which Qwest claims were enjoined by the Order of the District Court and requests the Commission to order Pac-West Telecomm, Inc. ("Pac-West") to refund Qwest the amount of \$1,849,153.22, which Qwest had paid to Pac-West pursuant to Decision No. 68820.

By Procedural Order dated September 30, 2008, the Parties and Commission Utilities Division ("Staff") were directed to file position statements on the issue(s) they believe the Commission must address as a result of the District Court's remand, by November 10, 2008.

On November 5, 2008, the FCC released its Order on Remand concerning ISP-Bound traffic. Each of the parties to this matter desires additional time to analyze the effect of the FCC's recent order and jointly request that the November 10, 2008, date for comments be vacated, and propose that

they attempt to fashion a joint recommendation for subsequent procedures for this matter at the November 17, 2008 Procedural Conference. The request is reasonable.

IT IS THEREFORE ORDERED that the **obligation of the parties and Staff to file** position statements **by November 10, 2008**, is **vacated**, and the parties' positions and recommendations will be addressed at the November, 17, 2008 telephonic Procedural Conference.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

Dated this 7th day of November, 2008


JANE RODDA
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 7th day of November, 2008 to:

Norman Curtright
Qwest Corporation
20 E. Thomas Road, 16th Floor
Phoenix, AZ 85012

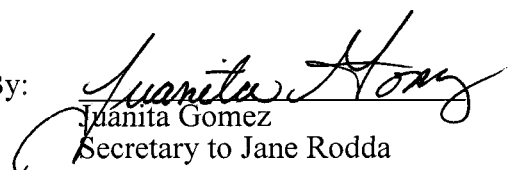
Tom Dethlefs
1801 California Street, 10th Floor
Denver, CO 80202-2658

Timothy Berg
Theresa Dwyer
Fennemore Craig, PC
3003 N. Central Ave., Suite 2600
Phoenix, Arizona 85012
Attorneys for Qwest

Joan S. Burke
Osborn Maledon, PA
2929 North Central Ave., 21st floor
Phoenix, Arizona 85012-2793
Attorneys for Pac-West

Janice Alward, Chief Counsel
Legal Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington
Phoenix, AZ 85007

By: 
Juanita Gomez
Secretary to Jane Rodda